

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) CRIMINAL NO. 04-10060-RCL
)
)
v.)
)
GEORGE SCHUSSEL)
Defendant)

EXHIBIT LIST

Below are listed the exhibits that may be introduced by the parties in the above-captioned trial. The list is organized as follows:

- Exhibits listed at numbers 1-120 are exhibits the United States may introduce in its case in chief to which the Defendant has said he does not object. Within that list, Exhibits 65-85 are documents the Defendant has claimed are privileged but that the Court has previously said are admissible. The Defendant has agreed that the documents may be admitted subject to his objection to the Court's ruling.
- Exhibits 121- 127 are exhibits the Defendant may introduce to which the United States has said it will not object.
- Exhibits 200-204 are additional documents the Defendant claims are privileged that the Defendant may introduce at trial to which the United States does not intend to object. The United States, however, has reserved its right to argue that any use of those documents constitutes a waiver of any privilege entitling the United States to introduce other documents that the Defendant may claim remain subject to the privilege or for purposes of completeness.
- Exhibits 205-211 are additional documents the Defendant claims to be privileged that the Defendant may introduce at trial to which the United States objects. The United States also reserves its rights as to waiver and completeness as set forth above for exhibits 200-204.
- Exhibits 300-354 are documents the United States may introduce at trial to which the Defendant objects.
- Exhibits 355-369 are documents the Defendant may introduce at trial to which the United States objects.

EXHIBITS 1-120

EX. #	DESCRIPTION
1	Letters re: deposits to Bank of Bermuda, dated from 2/28/93 - 1/18/96
2	Various Bank of Bermuda deposit slips, dated from 3/3/93 - 12/22/95
3	Original check register # 000001 - 000044
4	Various original checks signed by G. Schussel or stamped "G. Schussel," dated from 1/4/93 to 12/20/96 (9 checks)
5	Various checks returned from Bank of Bermuda for non-payment
6	Letters re: wire transfers from Bank of Bermuda, dated from 4/14/93 - 6/3/96
7	Letter dated 11/9/2995 re: wire transfer to the Bank of Bermuda
8	Confirmation dated 11/24/95 re: payment order to Bank of Bermuda
9	Memo dated 1/24/92 re: wire transfer to Royal Bank of Canada
10	Letter to Hemisphere Management from Clement E.F. Talbot, dated August 10, 1995
11	Bank of Bermuda Account Statements dated 2/8/93 through 1/6/97
12	Bank of Bermuda records obtained through Tax Treaty
12A	April 30, 2003 Letter from Bank of Bermuda Certifying Bank Records
12B	Cover sheet
12C	Miscellaneous Instructions Form
12D	Signature Card
12E	Customer Record File w/Banking Resolutions of DCIL
12F	February 28, 1993 Letter from D.Reed to Bank of Bermuda for Deposit of funds w/deposit slip
12G	June 28, 1992 wire request from Schussel for \$100,000 to Fidelity Account
12H	September 2, 1993 wire request from Schussel for \$337,000 to Fidelity Account

EX. #	DESCRIPTION
12I	Transaction Record Printout for January 1993 through February 1997
12J	June 29, 1995 letter from D. Reed depositing \$675,000
13	Memo to Ron from George re: Salary and Bonus for 1993, 1994 dated January 3, 1993 (#RG 03320)
14	Memo to Ron from George re: Salary and Bonus for 1993, 1994 dated January 24, 1995 (#RG 03324)
15	Memo to Ron from George re: Salary and Bonus for 1993, 1994 dated June 25, 1995 (#RG 03326)
16	Memo to Ron from George re: Our compensation, salary and bonus plan for 1995, dated July 5, 1995 (#RG 02601)
17	DCI Cashflow spreadsheet (1991 - 1996) (#RG 00259)
18	DCI Cashflow spreadsheet (1985 - 1990) (#RG 00261)
19	DCI EBITDOT for 1995 (#RG 00262 - RG 00263)
20	DCI EBITDOT for 1996 (#RG 00260)
21	1995 Bermuda Deposits spreadsheet (#RG 02914 - RG 02915)
22	1995 Bermuda Deposits spreadsheet (#RG 02901 - RG 02903)
23	1995 Profit Numbers spreadsheet (#RG 02912 - RG 02913)
24	9/6 note to Ron re: bonus money (#RG 02910)
25	Profit 1992 spreadsheet (#RG 02907 - RG 02908)
26	Ron's 1993 Bonus (#RG 02583 - RG 02584)
27	Profit #'s for 1994 (#RG 02904)

EX. #	DESCRIPTION
28	Profit #'s for 1995 spreadsheet (#RG 03106 - RG 03107)
29	"Profits For 1995, What Now?" (#RG 00331)
30	Memo to George from Diane dated January 2, 1996 (w/attachment #RG 03074 - RG 03076)
31	IRS letter from K. McGovern to DCI/Mr. Schussel, dated September 15, 1997 (w/attachment re: information requested)
32	"Morning meeting" handwritten notes dated 11/20/97 (#RG 01494)
33	"Who knows about DCIL?" handwritten notes (#RG 03434)
34	DCI Revenue History/OT Owner Take Out (#RG 02637)
35	Northmark Bank "PC Card '95" user group check dated 6/29/95
36	Email to D. Reed from G. Schussel dated May 12, 1998 (#RG 02189)
37	DCI 1988 U.S. Corporation Income Tax Return
38	DCI 1989 U.S. Corporation Income Tax Return
39	DCI 1990 U.S. Corporation Income Tax Return
40	DCI 1991 U.S. Corporation Income Tax Return
41	DCI 1992 U.S. Corporation Income Tax Return
42	DCI 1993 U.S. Corporation Income Tax Return
43	DCI 1994 U.S. Corporation Income Tax Return
44	DCI 1995 U.S. Corporation Income Tax Return
45	George and Sandra Schussel 1995 U.S. Individual Income Tax Return
46	Northmark Bank "sales refund checks" (D-16 through D-29)
47	Northmark Bank Statements provided to K. McGovern (D-144 through D-223)

EX. #	DESCRIPTION
48	IDR #2 dated 11/6/97
49	Numerous user group checks provided to K. McGovern w/accompanying bank statements (D-224 through D-341)
50	Letter from E. DeFranceschi to K. McGovern re: power of attorney, dated November 10, 1996 (w/attachment)
51	IDR #3 dated 12/24/97
52	Letter from E. DeFranceschi re: DCI/DCIL contract, dated February 13, 1998 (w/attachment)
53	Letter from E. DeFranceschi to K. McGovern re: correction of dates, dated February 23, 1998
54	IDR #4 dated February 24, 1998
55	Letter from E. DeFranceschi to K. McGovern dated March 11, 1998
56	Letter from K. McGovern to E. DeFranceschi re: adjustments, dated April 27, 1998
57	Income Tax Examination Changes (Form CG-4549) re: \$22,926.29 adjustment, dated 4/27/98
58	Payment Posting Voucher w/copy of \$22,926.29 check
59	Income Tax Examination Changes (Form CG-4549) re: \$188,609.13 adjustment, dated 4/27/98
60	Payment Posting Voucher w/copy of \$188,609.13 check
61	Examination Changes (Form 4605-CG and Form 886-Z(C)-CG)
62	Digital Consulting, Inc. "Income Statements" from January 1, 1995 through December 31, 1995
63	DCI 1995 Income Summary (D-62 through D-106)
64	DCI "Expense Combination" 1995 (B-11 through B-13)
65	Fax to E. DeFranceschi from G. Schussel dated 2/16/98

EX. #	DESCRIPTION
66	Fax to E. DeFranceschi from G. Schussel dated 3/4/98 (w/attachment)
67	Fax to E. DeFranceschi from G. Schussel dated 3/6/98
68	Fax to Geo Schussel from E. DeFranceschi dated 3/12/98 (w/attachment)
69	Copy of one share of DCIL stock dated February 29, 1988.
70	Letter to Mr. DeFranceschi from Richards, Francis & Francis, dated March 12, 1998
71	Fax to E. DeFranceschi from G. Schussel dated 3/12/98 (w/o attachment)
72	Fax to Ed from Geo dated 4/22/98 (w/attachment)
73	Fax to E. DeFranceschi from G. Schussel dated 4/24/98
74	Fax to E. DeFranceschi from G. Schussel dated 4/25/98 (w/attachment)
75	George and Sandra Schussel draft 1992 Form 1040X
76	George and Sandra Schussel draft 1993 Form 1040X
77	George and Sandra Schussel draft 1994 Form 1040X
78	George and Sandra Schussel draft 1995 Form 1040X
79	Statement re: George Schussel (taxpayer) as participant in DCIL trust
80	Gomes Interest and Penalty Detail Report
81	Ronald and Mary Lou Gomes' draft 1992 Form 1040X
82	Ronald and Mary Lou Gomes' draft 1993 Form 1040X
83	Ronald and Mary Lou Gomes' draft 1994 Form 1040X
84	Ronald and Mary Lou Gomes' draft 1995 Form 1040X
85	Statement re: Ronald Gomes (taxpayer) as participant in DCIL trust
86	Northmark Savings Bank Documents
87	Fidelity Investments Documents
88	Plea agreement of D. Reed, dated October 28, 2003
89	Plea agreement of R. Gomes, dated July 28, 2003

EX. #	DESCRIPTION
90	Memo to Ron from G. Schussel re: Bonus, dated 8/29/91 (# RG 03327)
91	Memo to Ron from George re: Salary and Bonus for 1993, 1994, dated January 10, 1995 (#RG 03321)
92	Memo to DCI employees, associates and friends from George, dated September 21, 1992 (#RG 02739)
93	November 1992/November Reconciliation (#RG 02299-RG 02300)
94	1992 Ron bonus (#RG 02905)
95	Ron's Bonus dated 10/5/92 (#RG 02613)
96	Profit # 5 dated 7/5/95 (#RG 03109)
97	Handwritten notes dated 5/4/98 (#RG 02968)
98	Griffin Examination Workpapers (4 pages)
99	Griffin Officer's Activity Record (10 pages)
100	Griffin Interview Notes (B-1, B-2 and B-4)
101	Griffin Notes Controlled Corporations (C-1)
102	Griffin Notes Gross Receipts (D-1)
103	Griffin Notes Administrative Costs (H-1 to H-7)
104	DCI Memo dated 9/12/89 (H-8)
105	DCI Note From Gomes to Schussel dated 2/12/89 (H-9)
106	Memo from G. Schussel to L. Griffin dated 12/19/91 (w/attachments)
107	Note from G. Schussel to Griffin (undated)
108	IDR #1 dated 11/15/91
109	Key and Related Field and office Examination Returns
110	Griffin Notes dated 12/17/91
111	Griffin Notes dated 12/12/91

EX. #	DESCRIPTION
112	Income Tax Examination Changes for DCI executed by Schussel 6/5/92
113	Payment Voucher DCI 1988 Period
114	Payment Voucher DCI 1987 Period
115	D. Bennett Case History Worksheet (2 pages)
116	D. Bennett Examination Workpapers
117	D. Bennett Record of Completed Appointments
118	D. Bennett Interview Notes (B - B5)
119	CTR for 4/28/93 transaction of \$11,612
120	D. Bennett Notes Income Probe (D1 - D6)

EXHIBITS 121-127

EX. #	DESCRIPTION
121	IDR #1 Revenue Agent Kelly McGovern Sept. 1997 Notice to DCI
122	Reed note dated 11/20/97
123	Memo re: Gomes becoming President dated September 1992 (RG3648)
124	Powers of Attorney for DeFranceschi and Glusman for 1995 and 1996 tax return
125	DeFranceschi Engagement Letter sent to Schussel November 1997
126	DeFranceschi Boston University Web Site Screen Shot
127	Wire Transfer to Mrs. Gomes Jan. 24, 1992

EXHIBITS 200-204

EX. #	DESCRIPTION
200	March 2, 1998 letter from DeFranceschi to Schussel
201	DeFranceschi billing records DCI No. 1997 to July 1998
202	April 22 1999 Fax from DeFranceschi
203	Fax to DeFranceschi dated April 25, 1998 w/note on page
204	Fax to DeFranceschi from Reed

EXHIBITS 205-211

EX. #	DESCRIPTION
205	Handwritten Notes of DeFranceschi
206	Brown Rudnick Billing Records to DCI Oct. 1997 to May 1998
207	Fax to DeFranceschi from Schussel dated 12/7/97
208	1995 letter of Attorney Silverman to Schussel
209	Fax to DeFranceschi from Schussel
210	1 page handwritten notes of DeFranceschi
211	Note to DeFranceschi from Reed dated 1/21/98

EXHIBITS 300-354

EX. #	DESCRIPTION
300	Memo dated 2/23/89 re: wire transfer to Royal Bank of Canada
301	BERMUDA table with scenarios (#RG 00332 - RG 00333)
302	Proposed Cash Flows chart (#RG 00334)
303	Money Flow dated 9/7/95 (#RG 00335)
304	Flow chart re: handling of DCI checks and user group checks (#RG 00320)
305	“Pearl” handwritten notes dated 10/20/95 (#RG 00089)
306	“ICM System” handwritten notes dated 6/13/97 (#RG 01442)
307	“SBT Vendor System” handwritten notes dated 6/13/97 (#RG 01443)
308	“To Lose By Show” handwritten notes dated 6/23/97 (#RG 00357 - RG 00358)
309	“Acctg” handwritten notes dated 7/14/97 (#RG 01463)
310	Memo to “All Staff” dated July 29, 1997
311	Email from Mike Griffin to G. Schussel & R. Gomes re: Project Phoenix, dated August 9, 1997 (w/attached memo #RG 00090 - RG 00092)
312	Memo from Mike Griffin to George & Ron re: Phoenix Update, dated October 16, 1997 (#RG 00353 - RG 00354)
313	DCI 1986 U.S. Corporation Income Tax Return
314	DCI 1987 U.S. Corporation Income Tax Return
315	Corporation Application for Tentative Refund dated 2/26/90
316	Corporation Application for Tentative Refund dated 2/11/91
317	Corporation Application for Tentative Refund dated 2/11/91 (w/handwritten notation)
318	Income Tax Examination Changes (Form 4549) dated 6/5/92
319	George and Sandra Schussel 1994 U.S. Individual Income Tax Return

EX. #	DESCRIPTION
320	Examining Officer's Activity Record, dated 9/15/97 through 5/7/98 (7 pages)
321	Interview Audit Aid (B-1 through B-9)
322	Digital Consulting, Inc. Gross Receipts (D-1 through D-15)
323	K. McGovern's notes re: Gross Receipts dated 2/12/98 (D-130 through D-131)
324	K. McGovern's notes re: Gross Receipts dated 4/20/98 (D-342 through D-344)
325	IRS Summary Spreadsheets prepared by P. White
325A	Computation of Total Tax Loss 1988-1995
325B	Computation of Total Tax Loss 1985-1995
325C	Schussel: Computation of Tax Due and Owing 1995
325D	DCI: Computation of Tax Due and Owing 1995
325E	Cash Flow Spreadsheet and Computation of Unreported Income 1985-1995
325F	Cash Flow Spreadsheet and Computation of Unreported Income 1988-1995
325G	Deposits/Monthly Draw 1993
325H	Deposits/Monthly Draw 1994
325I	Deposits/Monthly Draw 1995
325J	Deposits to Bank of Bermuda 1995
325K	Deposits to Bermuda/Wires Out/Deposits to Fidelity 1993
325L	Deposits to Bermuda/Wires Out/Deposits to Fidelity 1994
325M	Deposits to Bermuda/Wires Out/Deposits to Fidelity 1995
325N	Additional Income Reported on Draft Forms 1040X
325O	Comparison of Deposits and Wires Out and Cash Flow Sheets for 1993 through 1995

EX. #	DESCRIPTION
325P	DCI Income Statement/Non-Income Items Summary
325Q	DCI Income Statement Summary
326	Collected K. McGovern W/P's
327	Jellicle U.S. Corporation Income Tax Returns
328	Letter from E. DeFranceschi to D. Reed re: IRS Tax Examination Reports, dated April 29, 1998 (w/attachments)
329	Letter from Geo to Ed (#RG 02186 - RG 02187)
330	Email from G. Schussel to R. Gomes dated July 16, 1998
331	Handwritten notes dated 5/4/98 (#RG 02967)
332	Handwritten notes "K-1" dated 5/6/96 (#RG 03025 - RG 03026)
333	Memo from K. Glusman to G. Schussel, R. Gomes, dated July 20, 1998 (#RG 03027 - RG 03031)
334	Handwritten notes re: summary or advice (#RG 02250)
335	ML's list (#RG 03390)
336	Ron's list (#RG 03393)
337	Profit and Loss – Jellicle 2001
338	Profit and Loss – Jellicle 2002
339	Profit and Loss – Jellicle 2003
340	Balance Sheet – Jellicle 2003
341	Jellicle 1999 1120S
342	Jellicle 2000 1120S
343	Jellicle 2001 1120S (Paul Law copy)
344	Jellicle 2002 1120S (Paul Law copy)
345	Jellicle 2003 1120S (Paul Law copy)
346	Demonstrative chart of money trail from DCI to Bank of Bermuda, then back to Fidelity Investments

EX. #	DESCRIPTION
347	Demonstrative chart of 1993 deposits to Bank of Bermuda, and wire transfers to Fidelity Investments
348	Demonstrative chart of 1994 deposits to Bank of Bermuda, and wire transfers to Fidelity Investments
349	Demonstrative chart of 1995 deposits to Bank of Bermuda, and wire transfers to Fidelity Investments
350	Demonstrative chart highlighting select 1993 deposits to Bank of Bermuda, and wire transfers to Fidelity Investments
351	Demonstrative chart highlighting select 1994 deposits to Bank of Bermuda, and wire transfers to Fidelity Investments
352	Demonstrative chart highlighting select 1995 deposits to Bank of Bermuda, and wire transfers to Fidelity Investments
353	DCI Grand Jury Subpoena
354	March 10, 1998 Fax from Schussel to DeFranceschi

EXHIBITS 355-369

EX. #	DESCRIPTION
355	C&L DGI Combined Financial Statements for Year Ended 12/31/96
356	Letter of Intent from First Communication Acquisition Corp. to DCI
356A	May 14-15, 1997 Letter of Intent Regarding Recapitalization Offer from First Communications Acquisition Corp. to DCI
357	"DCI/IEM" note of Diane Reed (RG 0339)
358	"International-DCIL" Note of Gomes
359	May 4, 1998 Note of Schussel regarding Documents (RG 2967)
360	Offer of Purchase from IMARK to DCI 11-15-96
361	Schussel's 1996 Federal Income Tax Return
362	Fidelity 1099 for DCIL and Schussel 1996 work product sent to CPA Paul Law
363	Fidelity 1099 for DCIL and Schussel and 1995 Work product sent to CPA Paul Law
364	Copies of Shares of DCIL stock
365	Gomes "Documentation and Question" sent to DeFranceschi in February 1999 (RG 1410-1422)
366	Gomes Inventory of Documents dated March 3, 1994 (RG 3470-72)
367	1995 Tax File provided to DeFranceschi by CPA Paul Law
368	Fax cover page of DeFranceschi to Glusman fax of November 17, 1997 (w/attachment)
369	Proposal -- Conundrum -- Gomes (RG 2140)

Respectfully submitted,
MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Jack W. Pirozzolo
Carmen M. Ortiz
Jack W. Pirozzolo
Assistant U.S. Attorneys

Date: January 5, 2007

CERTIFICATE OF SERVICE

I, Jack W. Pirozzolo, hereby certify that on January 5, 2007 I served a copy of the foregoing by electronic filing on counsel for the defendant.

/s/ Jack W. Pirozzolo
Jack W. Pirozzolo